

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED  
UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)  
101149-00008

First named inventor: SOMA, et al.

Application No.: 09/700,713

Group Art Unit: 1645

Filed: November 27, 2000

Examiner: K. Shannan-Shah

Title: ADDITIVES FOR CRUSTACEANS OF FISH FEED AND FEEDS

Attention: Office of Petitions  
Assistant Commissioner for Patents  
Box DAC  
Washington, D.C. 20231

NOTE: If information or assistance is needed in completing this form, please contact  
Petitions Information at (703)305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee -- required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

☐ Small entity - fee \$\_\_\_\_\_ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

☒ Other than small entity - fee \$1280.00 (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in  
the form of \_\_\_\_\_ (identify type of reply):

- ☐ has been filed previously on \_\_\_\_\_  
☒ is enclosed herewith.

B. The issue fee of \$ \_\_\_\_\_

- ☐ has been paid previously on \_\_\_\_\_  
☐ is enclosed herewith.

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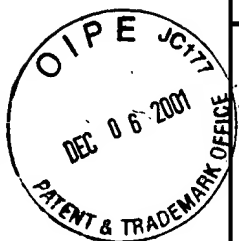
[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 1.0 hour to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:  
Assistant Commissioner for Patents, Washington, DC 20231.

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1280.00 DP



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## 3. Terminal disclaimer with disclaimer fee

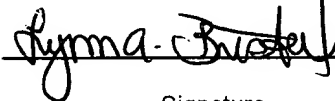
- ☐ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming a period equivalent to the period of abandonment is enclosed herewith (see PTO/SB/63).

## 4. Statement. The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c)(III)(C) and (D))].

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

December 6, 2001

Date



Signature

Telephone

Number: (202) 857-6000

Lynn A. Bristol, Reg. No. 48,898

Typed or printed name

Arent Fox Kintner Plotkin &amp; Kahn

1050 Conn. Ave, Suite 400

Washington, D.C. 20036

Enclosures: ☒ Fee Payment

☒ Amendment under 37 CFR §1.111 along with a clean copy of an amended specification; marked up copy of the original specification; marked up copy of claims

☐ Terminal Disclaimer Form

☒ Additional sheets containing statements establishing unintentional delay

☒ Petition for Extension of Time for three months; Information Disclosure Statement; PTO-1449 form; 2 references

**CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(A)]**

I hereby certify that this correspondence is being:

☐ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Box DAC, Washington, D.C. 20231.

☐ transmitted by facsimile on the date shown below to the Patent and Trademark Office at (703) 308-6916.

Date

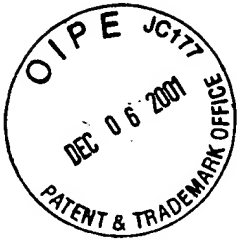
Signature

Typed or printed name of person signing certificate

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**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

SOMA et al

Art Unit: 1645

Serial Number: 09/700,713

Examiner: K. Shannan-Shah

Filed: November 27, 2000

Attorney Docket No. 101149-00008

For: ADDITIVES FOR CRUSTACEAN OR FISH FEEDS AND FEEDS

**DECLARATION**

Commissioner for Patents  
Washington, D.C. 20231

December 5, 2001

Sir:

I, Sheila Loving, a citizen of the United States, hereby declare and state:

1. I am the docket clerk at the firm of Arent Fox Kintner Plotkin & Kahn, PLLC, (referred to herein as the firm).

2. As the docket clerk at the firm, my duties included following the docketing and USPTO filing procedures for the firm, including reviewing all mail received from the USPTO and docketing all due dates created by that mail in the Master Docket.

3. I phoned our courier service on December 3, 2001 at 3:30, instructing them of a later filing for the above-identified application to be picked up at the firm at 5:30 and filed in the USPTO. After phoning our courier service, the filing was placed in the designated area for courier pick-up along with an attached courier request

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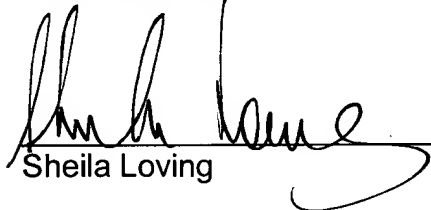
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receipt (copy of receipt No. 025520 enclosed herewith). However, on December 4, 2001, I noticed that our courier service failed to pick up and file said filing. I immediately phone <sup>L</sup> Lynn Bristol to inform her of this error.


4. I have been instructed on the importance of timely filings.

5. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.


  
Sheila Loving

12/5/01  
December 5, 2001

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 <b>ON TIME COURIER SERVICE</b> (301) 567-6620		<b>COMPANY NAME:</b> Arent Fox Kintner Plotkin & Kahn 1050 Connecticut Avenue, NW Washington, DC 20036-5339		<b>DATE:</b> 12/3/01	<b>TIME:</b> 5:30
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<b>FROM:</b> L. BRYSTOL		<b>TO:</b> US PTO	
<b>COMMENTS / SPECIAL INSTRUCTIONS:</b> ROUND TRIP			
<b>AUTHORIZED SIGNATURE:</b> 		<b>CLIENT CODE/REF. NO. DRIVER INT.</b> 101149-00008	

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